IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 9591 of 2004

Between:
Smt. R.N.Kamala, W/o N.Prahlada Rao
AP.S.W.R.School/Junior College, Srikalahasti,

.....
PETITIONER

AND

1 The Secretary AP. School welfare Residential
Educational Institutions Society,
Hyderabad
2 The Principal AP., Social Welfare Residential School
Junior College, Srikalahasti, Chittoor District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly in the nature of Writ of Certiorari, calling for the records pertaining to the impugned proceedings in Rc.No.Z-IV/12/0/99, Dt. 15/05/2004 issued by the 1st respondent and quash the same as illegal, improper, violative of Art. and 311(2) of the Constitution of India and violative of principles of natural justice and consequentially dire t the respondents to reinstate the petitioner into service with all service benefits during the suspension period.

Counsel for the Petitioner:MR.A.CHANDRAIH NAIDU

Counsel for the Respondent No.: MR.VIJAYA BHASKAR MOOLA

The Court Made the Following :

O r d e r:

By proceedings in Rc.No.Z-IV/12/0/99 dated: 15-5-2004 issued by the first respondent, the petitioner was awarded punishment of stoppage of three annual grade increments with cumulative effect. Further through the same proceedings, the petitioner was reinstated into service and posted at Junior College, A.P.S.W.R.S., Ramapuram, Cuddappah District,.

It is not in dispute that an appeal against the impugned orders lies before the Chairman, A.P. Social Welfare Residential Educational Institutions Society (APSWREIS), Hyderabad. It is also not the case of conducting the inquiry without following the principle of *audi alteram partem,* so also not a case of jurisdictional error of the disciplinary authority. Therefore, liberty is given to the petitioner to approach the Chairman, APSWREIS, Hyderabad, by filing statutory appeal against the order impugned herein.

The learned counsel for the petitioner submits that the petitioner is having small children and by way of punishment, she was transferred to Cuddappah District. On the other hand the learned Standing Counsel for the respondents submits that the petitioner was transferred to Cuddapah purely on administrative grounds, as she has completed three years of service at Srikalahasthi.

In such view of the matter, without going into the merits of the case, the writ petition is disposed of directing the petitioner to file statutory appeal before the Chairman, APSWREIS, Hyderabad, as far as the infliction of punishment is concerned. In so far as retention of the petitioner at Srikalahasthi, is concerned, it is for the first respondent to consider her case either for retention at Srikalahasthi or at any other place in Chittoor District.

With the observations as above, the writ petition stands disposed

of. In the circumstances no costs.0

K.C. BHANU, J.

23—6—2004.

*BVS

Note: Furnish CC in two days.
(BO) BVS.

To
1 The Secretary AP. School welfare Residential
Educational Institutions Society,
Hyderabad
2 The Principal AP., Social Welfare Residential School
Junior College, Srikalahasti, Chittoor District
3.2CCs to
4.2CD copies